



PERSONNEL FILES

Title 357-22 WAC defines the employer's process for maintaining personnel files for state employees. These rules apply fully to nonrepresented employees.

Note: The rules described in this document apply to nonrepresented employees. For provisions covering employees in bargaining units, please see the appropriate contract at <http://www.ofm.wa.gov/labor/>.

Must an employer maintain a personnel file for each employee?	Yes, an employer must maintain an official file of each employee showing a record of employment and such other information as may be required for business and legal purposes.
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Must an employer develop and publish a policy on personnel files?	Yes, each employer must develop and publish a policy pertaining to retention and confidentiality of personnel records in accordance with WAC 357-22 and all relevant state and federal laws. The policy must include the requirement that personnel and payroll records are open to the inspection of the Personnel Resources Board, State Auditor, Department of Personnel, and prospective state employers.
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Can an employee review his/her personnel file?	Yes, an employee and/or any person authorized in writing by the employee may review the employee's personnel file at least annually according to the policy of the employer.
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What information must be sent from one employer to another when an employee changes employers within state government?	The most recent employer must provide employee information to the new employer in a transmittal package developed by the Department of Personnel.
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Who is responsible for the official personnel files?	Each employer must designate the position(s) within the employer's organization responsible for managing and maintaining the official personnel files.
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Must the employee be given a copy of information placed in the personnel file?	Yes, the employee must be provided a copy of all adverse material placed in the personnel file at the time the material is included in the file. Upon employee's request, the employee must be provided with a copy of any information in the employee's personnel file.
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How long must information be kept in the employee's personnel file?

Information must be kept in the employee's personnel file as long as it has a reasonable bearing on the employee's job performance or the employer's efficient and effective management of the agency, institution, or related higher education board.

When may an employee add information to his/her personnel file?

After an employee becomes aware that adverse information has been placed in his/her personnel file, he/she has the right to add a statement of rebuttal or correction of such information. At anytime, an employee has the right to add job performance information to his/her personnel file.
